

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DANIEL JOYCE,
Individually and on behalf of a class of others
similarly situated,

Plaintiff,

v.

JOHN HANCOCK FINANCIAL SERVICES,
INC. SEVERANCE PAY PLAN and JOHN
HANCOCK FINANCIAL SERVICES, INC., as
Administrator and Fiduciary of the John Hancock
Financial Services, Inc. Severance Pay Plan,

Defendants.

Civil Action No. 05-11428-WGY

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, Defendants John Hancock Financial Services, Inc. Severance Pay Plan and John Hancock Financial Services, Inc. hereby move for summary judgment on all Counts of Plaintiff's Amended Complaint.

As grounds for and in support of this Motion, Defendants rely on and incorporate fully herein their Statement of Undisputed Facts in Support of Defendants' Motion for Summary Judgment, their Memorandum of Law in Support of Defendants' Motion for Summary Judgment, and their Appendix in Support of Defendants' Motion for Summary Judgment, all of which are filed herewith. the supporting exhibits, deposition transcript excerpts, and interrogatory answers, all of which are filed herewith.

Based on the foregoing, Defendants request that this Court grant their Motion for Summary Judgment.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), Defendants hereby request oral argument on the issues raised in this Motion.

Respectfully submitted,

JOHN HANCOCK FINANCIAL
SERVICES, INC. SEVERANCE PAY
PLAN and JOHN HANCOCK FINANCIAL
SERVICES, INC.,

By their attorneys,

/s/ Erin N. Jackson

Anthony M. Feeherry (BBO #160860)

Daniel P. Condon (BBO #547676)

Erin N. Jackson (BBO #647375)

GOODWIN PROCTER LLP

Exchange Place

Boston, MA 02109-2881

Dated: July 7, 2006

617.570.1000

Dated: July 7, 2006

LOCAL RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), the undersigned hereby certifies that counsel for Defendants conferred with counsel for Plaintiff and attempted in good faith to resolve or narrow the issues presented by this Motion. These efforts were not successful.

Dated: July 7, 2006

/s/ Erin N. Jackson

Erin N. Jackson

CERTIFICATE OF SERVICE

I, Erin N. Jackson, hereby certify that on July 7, 2006 this DEFENDANTS' MOTION FOR SUMMARY JUDGMENT was filed through the ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this date.

Dated: July 7, 2006

/s/ Erin N. Jackson

Erin N. Jackson